REMARKS

Claims 1 to 9 are now pending. Claims 10 to 17 have been canceled. Applicants reserve the right to file a divisional application including those canceled claims. Claim 1 has been amended for clarification purposes. Such amendments to the claims are shown via strikeouts (deletions) and underlining (additions). No new matter has been added.

Applicants respectfully request reconsideration of the present application in view of this response.

35 U.S.C. § 112, First Paragraph

With respect to paragraph one (1) of the Office Action, claims 1 to 9, 16 and 17 were rejected under 35 U.S.C. § 112, first paragraph, for lack of enablement.

Specifically, claims 1 to 9 were rejected because the Office Action suggests that the originally filed Specification does not describe how the clock signal is added to the asynchronous data. Applicants respectfully submit that the clock signal is not added to the asynchronous data. In fact, the claim reads that a data-independent clock signal is added to a device, not "to the" asynchronous data transmission technology. The Specification at, for example, page 2, lines 28-36, describes that by implementing a sufficiently large memory device in the transmitter, the data received is stored during a period required for compensating transmission delays, and by the studio clock signal being sent to the memory device for reading the data. Accordingly, for clarification sake as requested by the Examiner, Applicants have amended claim 1. Applicants respectfully submit that amended claim 1 and its dependent claims 2 to 9 are allowable; and, withdrawal of the 35 U.S.C. § 112, first paragraph, rejection of claims 1 to 9 is respectfully requested.

Claims 16 and 17 were canceled from this application; but may be filed by Applicants in a divisional application.

Accordingly, in light of Applicants' disclosure in the Specification, some of which is highlighted above, and Applicants' amendment to claim 1, Applicants respectfully submit that claims 1 to 9 are enabled and thus are allowable; Applicants request that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

Any rejections of claims 10 to 17 are now moot since claims 10 to 17 have been canceled from this specific application.

35 U.S.C. § 103(a) – Kitao, Hessenmuller, IBM and Chao References

With respect to paragraphs nine (9) and ten (10) of the Office Action, claims 1 to 9 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Kitao reference or the Hessenmuller reference in view of the Chao reference or the IBM reference.

Applicants respectfully submit that none of the above-cited references teach or suggest the present invention, as in claims 1 to 9.

The Kitao reference purportedly concerns a source clock reproducing circuit in which the source of the clock data is "made to be reproduction possible" at the reception side, even if the network clocks are different at the reception and transmission sides. Abstract. The Kitao reference refers to a time stamp being generated and transmitted with the network clock as a reference at every fixed cycle of the source clock of data. Abstract. The Kitao reference further refers to a pulse being generated (in the receiving part) through the use of the received time stamp and the network clock and a part of it is selected by a gate so as to obtain the pulse corresponding to the fixed cycle of the transmitting part; a gate open timing is controlled by a threshold value deciding means through the use of the content of a data buffer. Abstract. The difference of the network clocks is corrected, the obtained pulse being adopted as the reference of a phase synchronizing loop and the source clock being reproduced.

The Hessenmuller reference purportedly concerns purportedly concerns broadband ISDN where the ATD (asynchronous time-division multiplexing technique) cell losses have an adverse effect on the quality of service. Hessenmueler reference, Abstract. The Hessenmueler reference describes a method which allows the correction of cell losses by combining a forward error correction with a bit/byte interleaving technique on the basis of the (5+48)-byte cell format recommended by the CCITT.

The prior art is required to *disclose or suggest each claim element* <u>and</u> must also *provide a motivation or suggestion for combining the elements in the manner contemplated by the claim.* (See <u>Northern Telecom, Inc. v. Datapoint Corp.</u>, 908 F.2d 931, 934 (Fed. Cir. 1990), <u>cert. denied</u>, 111 S. Ct. 296 (1990). Applicants respectfully submit that neither the Kitao reference nor the Hessenmuller reference are believed to teach or suggest each and every claim element in claim 1. Claim 1 is directed to a device for receiving data transmitted using asynchronous data transmission technology, in particular audio and video data, *a data-*

independent clock signal being added to the device, having a *memory device, which stores the received data for the required period of time in order to compensate for transmission delays*, characterized in that *the clock signal is sent to the memory device for readout of the data*. Neither the Kitao or Hessenmuller references provide for a device having a memory device which stores the received data for a required period of time in order to compensate for transmission delays, or that the clock signal is sent to the memory device for readout of the data. *Instead*, for example, the Hessenmuller reference appears to focus on correcting cell loss by manipulating the cell stream by replacing missing cells with dummy cells, discarded redundant cells with the same sequence number and so on. Hessenmuller reference, page 127, column 1. The Hessenmuller reference further refers to coping with error bursts using forward error correction (FEC). Hessenmuller reference, page 127, column 2. Further, the Hessenmuller reference refers to using the received cell-structured network data, after separation of the cell header, to generate a continuous bit-stream or continuous sampling sequence, and that an elastic buffer is "always needed" at the receiving end which is monitored by and up/down counter. Hessenmuller reference, page 128.

Neither the Chao reference nor the IBM reference appear to cure the deficiencies of the Kitao and Hessenmuller references, in that they do not appear to provide for a device having a memory device which stores the received data for a required period of time in order to compensate for transmission delays, or that the clock signal is sent to the memory device for readout of the data, in the manner of the present claims. Further, none of the references appear to provide the requisite motivation or suggestion for combination of elements in the manner claimed in the present invention.

Accordingly, none of the Kitao, Hessenmuller, Chao or IBM references are believed to describe or even suggest each feature of claim 1, and Applicants respectfully submit that claim 1 is allowable. Withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a) is respectfully requested. Claims 2 to 9 depend from claim 1, and are allowable for at least the same reasons as claim 1.

CONCLUSION

In view of the foregoing, it is believed that the rejections have been overcome, and that claims 1 to 9 are allowable. It is therefore respectfully requested that any rejections be withdrawn, and that the present application issue as early as possible.

Should the Examiner wish to discuss the present application, the Examiner is invited to contact the undersigned at any time.

Respectfully submitted,

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